

## IRISH WHO GAVE THEIR MILLIONS SECURED IN SUIT BY FREE STATE

(Continued from First Page.)

on a rebellion against the said Provisional Government and against the Irish Free State and against the Dail Eireann as a governing body of the Irish Free State; that the defendant's Eamon De Valera and Stephen M. O'Mara . . . are members of the said Irregulars and co-operating with them, and that the funds and property in question are so deposited as to be available to those rebelling against the rightful Government of Ireland, which is the beneficiary of the said funds and property."

It appears from Smiddy's affidavit that he came to this country in March after having participated in treaty negotiations as economic and financial adviser to the Irish delegation. Since that time he has conferred with members and leaders of the Irregulars, from whom he says he learned that they considered that the present Provisional Government of Ireland is not entitled to the property in this country and should not be permitted to turn it over for the benefit of the Irish Free State.

In July, Smiddy was directed by Collins to ascertain what funds were deposited here. Thereupon he talked with Healy, a clerk in actual charge of the New York office of the Dail, Smiddy said that Healy, although fully aware of his credentials as a representative of Collins, refused to recognize any right he might have and to give any information as to the funds here.

Smiddy also says that Healy's predecessor, Gilbert E. Ward, who is one of the defendants, was discharged from the New York office because he refused to give information sought and sympathized with the Irregulars. He says Healy since that time in the conduct of the office has continued to manifest sympathy with the Irregulars and has given information either reluctantly or has refused to give any information at all relating to the Irish funds.

Estimates as to the total amount of money collected in this country largely through the activity of De Valera and his lieutenants have varied, the highest estimates placing the amount at \$7,000,000. For a long time the money was deposited in various banks in De Valera's name, but was supposed to be held in trust by a committee of three, consisting of De Valera, Bishop Fogarty and James O'Mara, for the Irish Parliament or Dail Eireann. When the Irish peace treaty was signed the Free State Irish held that De Valera should no longer have custody of the funds in this country and that he should be deprived of the right to make further collections. The point was a matter of discussion and argument in Irish circles for a long time. Notwithstanding protests, it is asserted, at least \$250,000 and possibly much more was withdrawn from the fund early in this year.

The plaintiffs are given ten days to effect service on the respondents personally and thirty days in which to effect service by publication. O'Mara, De Valera and Ward are not in this country at present and hence must be served by publication.

In his decision granting the injunction Justice Burr said in part:

"It appearing to my satisfaction by the complaint herein, verified Aug. 11, 1922, that the plaintiffs demand and are entitled to a judgment against the defendants, restraining the commission of the acts herein-

after enjoined on the ground that such acts are in repudiation and in violation of the rights of the plaintiff, Irish Free State as beneficiary of the trust funds and property described in the complaint; that the commission of the said acts during the pendency of the action would produce irreparable injury to the plaintiffs, and that such commission on the part of the defendants is threatened and reasonably to be apprehended; and it appearing by said complaint and affidavits that the defendants during the pendency of this action are doing or procuring or suffering to be done, and threaten or are about to do the acts hereinafter enjoined, in violation of the rights of the plaintiffs respecting the subject of the action and tending to render the judgment ineffectual by misapplying and withholding the said funds and property as set forth in the complaint."

The Court then orders the Harrison National Bank, Guaranty Safe Deposit Company, Central Union Safe Deposit Company and Garfield Safe Deposit Company from permitting any person to have access to or withdraw property from the safe deposit boxes until the further order of the court.

Justice Burr further orders that the defendant, Matthew Garth Healy be enjoined and restrained from withdrawing or taking possession of any of the funds or property mentioned, or any funds or property received under the trust agreement mentioned in the complaint, and from remaining further in charge of the office at No. 411 Fifth Avenue, and from dealing with or removing any papers and records therein, and from interfering with the taking charge of this office by the Irish Free State through the Provisional Government of Ireland or the Dail Eireann or the representative of either of them, until the further order of the court.

## RESCUE MYSTERY OF LOST SEAPLANE INTERESTS "DRYS"

(Continued from First Page.)

sea anchor and distributed oil on the waves.

"Having attracted their attention the schooner came alongside, but due to the extremely heavy weather, it required about two hours to manoeuvre into position to permit the crew and passenger to change from the seaplane to the schooner. Due to the smallness of the schooner, Capt. Miller states that at that time he would rather have cast his lot with the seaplane as in his opinion it was far more seaworthy than the schooner itself, but without power he was unable to proceed, so had no other choice than to take his chances with the little schooner.

"Capt. Miller reports that on final inspection of his motor, he found that one of the driving gears had broken, crippling the ignition system, which caused the motor to stop.

"Riding to the sea anchor," the statement continues, "the plane rode lightly on the waves without taking any water and drifting with the wind

until about 1.30 P. M., when they sighted a small fishing schooner about a mile off. To attract the attention of the fishing schooner, Capt. Miller fired several very bright lights.

"At this time the plane was in perfect condition, except for the stalled engine, and was in shape to be towed in, only the schooner, on account of the high seas, was unable to manage it. Capt. Miller states that when last seen, the plane was drifting easily and is still believed to be intact and will be located and picked up by some passing vessel.

"Due to the strong off-shore wind, the schooner was unable to make any headway. It remained heaved to during that night and the following day until the weather moderated to such an extent that they were capable of reaching the Long Island shore off Long Beach.

"Mr. Robinson communicated with his friends in Atlantic City immediately upon reaching Long Beach and rejoined them there last night. At the time the Ambassador II. was reported missing."

The aeromarine has been taking passengers on sightseeing trips around the city and to and from Havana, Miami, Fla.; Atlantic City and other points for two years without a serious accident.

Major Smith said the company has carried 534 passengers from Key West and Havana in 181 trips made in 112 days without a serious mishap.

When the Ambassador II. failed to return on time Sunday, Major Smith sent out the former submarine chaser Service, the Nina, a fourteen-passenger seaplane, and the Ritz-Carlton and Baltimore, two smaller flying boats, belonging to the company.

One division of the force of scouting seaplanes attached to the Atlantic Fleet put out yesterday under orders to search the waters within 100 miles or more of this city for the missing plane, and another division was held in readiness in Gravesend Bay. The flagship Wright, bearing the commander of the fleet's air force, started yesterday from Newport to Delaware Breakwater, searching en route, and the mine sweeper Sandpiper also joined in the quest.

Miller, the pilot, was employed by the Aeromarine Airways, Inc., which has offices in the Times Building, about July 1. He is twenty-six and lives at No. 293 West 55th Street. He was one of the searching party that went out to look for the ill-fated Miami, a flying boat of the same type as the Ambassador II., which went down last winter with four or five persons aboard.

He was with the Torpedo Airplane Division of the Atlantic Fleet, and in 1918 flew in France.

## FIVE IN \$100,000 RUM SEIZURE FORFEIT BAIL

Ten Others Appear and are Held in \$500 Bail Each.

Five of the fifteen men arrested Saturday when New Rochelle police seized the ship list and her \$100,000 cargo of liquor failed to appear to-day in City Court, New Rochelle.

Those who appeared were held in \$500

bail. Judge Swinburn declared the bail of the five absentees forfeited, but allowed the men two days in which to vacate the forfeiture. The absentees are William Baldwin, Darien, Conn.; John Johnson, Philadelphia; Samuel Harris, New York; John Miller, New York; and Charles Braun, their sons.

## SHOT IN CARD GAME, HAS YOUTH ARRESTED

Police Say Shooting Followed Father's Slabbing.

Joseph Chaffi, seventeen, No. 329 Pleasant Avenue, was arraigned to-day in Harlem Court, charged with fe-

lonious assault by Frederick Pastillio, No. 284 Mulberry Street, who said the boy shot him in the breast at Post Avenue and 117th Street the night of July 17 following a quarrel over a card game.

The police say the shooting followed the slapping of the face of Joseph's father, Luigi, who has a scar extending from forehead to chin. Policemen raided the Chaffi home early to-day and found Joseph hidden and nearly asphyxiated in a closet. Luigi, the father, and Pasquale Chaffi, an uncle, also were arrested, charged with interfering with the police.

## "America's Foremost Specialists" OPPENHEIM, COLLINS & CO 34th Street—New York

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New "Reselle" Girdles  
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All the Furs in our August Sale were purchased before recent advances in Wholesale Costs, and the Fur Prices here quoted are lower than will prevail later.

Natural Muskrat Coats, 40 in. long. Made with smart reverse border. August Price 115.00

Natural Raccoon Coats, 36 in. long. With deep collar and reverse border. August Price 195.00

Australian Opossum Coats, 40 in. long. New sleeves and shawl collar. August Price 245.00

Trimmed Hudson Seal Coats (Dyed Muskrat), 40 and 45 in. long, with Natural Squirrel, Beaver or Skunk. August Price 325.00

Alaska Seal Coats (Guaranteed U. S. Gov't Skins), 45 in. long. Trimmed with Natural Skunk. August Price 350.00

Natural Mink Coats, 40 in. long. Beautiful dark skins. Tail-trimming at bottom and cuffs. August Price 675.00



Hudson Seal Trim'd with Kolinsky 695.00

YOUNG married people will find the August sale of Flint's Fine Furniture presents the logical solution to the problem of furnishing a new home.

## August Sale of Flint's Fine Furniture

### Bedroom Suites from \$179 to \$2120 at Flint & Horner's August Sale

If YOU'RE thinking of refurnishing your bedroom, drop down to Flint & Horner's and look over the many remarkable values offered during our August sale.

If the furnishing of other rooms concerns you, opportunities are here in living room furniture, bedroom suites and many individual pieces—side chairs, tables, mirrors, desks.

They have all been reduced from their original prices—which were reasonable enough—and are now offered at discounts of 10% to 50%. And in most cases, the discount is much nearer 50% than 10%.

The prices listed to the right give an idea of the reductions that obtain on all furniture.

Bedroom sets in mahogany, walnut or enamel—\$179 to \$2120. Full width or twin beds, vanity dressing tables, chiffoniers, night tables, benches, chairs—all at radical reductions.

Dining suites in mahogany or walnut—\$280 to \$449. We have ten piece sets in all the finest designs—Chippendale, Sheraton, Queen Anne, Hepplewhite, Louis XVI, Italian Renaissance.

Living room furniture of firm and solid construction, sturdily framed and beautifully upholstered. Some three piece Davenport sets and other upholstered pieces are now half price, ranging from \$299 to \$641.

**FLINT & HORNER CO., INC.**  
20-26 WEST 36TH STREET  
A few yards from 5th Avenue

## Longer Week-End Vacations for Business Men

Going out of town this week end?

If you're like most men you already are thinking about the return trip Sunday night or early Monday morning and dreading it.

"Must get back" you are saying to yourself, "but how I'd like to stay over an extra day or two."

Well, why not? Many men have found the way to lengthen their week end stays at the Shore, the lake or the woods without sacrificing their business.

Monday morning they step to the telephone and talk with their right hand men back in town. Get a clear picture of conditions, give instructions—start things just as though they were there in person. If they wish to keep in closer touch they telephone again in the afternoon.

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